

**IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF MISSISSIPPI  
NORTHERN DIVISION**

**YOLANDA M. POWELL-YOUNG**

**PLAINTIFF**

**VS.**

**CAUSE NO. 3:15-cv-858-HTW-LRA**

**ALCORN STATE UNIVERSITY**

**DEFENDANT**

**ITEMIZATION OF UNDISPUTED FACTS**

COMES NOW Defendant, Alcorn State University and state the following undisputed facts:

1. Plaintiff, Dr. Yolanda M. Young-Powell is female and a member of a protected class.

2. Defendant, Alcorn State University is one of eight institutions of Higher Learning in the State of Mississippi and is governed by the Board of Trustees for State Institutions of Higher Learning (IHL).

3. Plaintiff was recruited to apply for the position of Dean of Nursing at Alcorn State University by then Acting Provost Samuel White.

4. Plaintiff was hired by Defendant and Plaintiff signed two Employment Contracts with Defendant for the position of "Professor/Dean, School of Nursing." The first contract covered January 15, 2014 through June 30, 2014 and the second contract covered the period July 1, 2014 through June 30, 2015.

5. Plaintiff also signed two attachments to the Employment Contract; (1) Disclosure of Supplemental Income and (2) Administrative Officer. The Administrative Officer attachment was an agreement that Plaintiff signed acknowledging that the position of Dean is an

administrative position and that Plaintiff has no property interest in the position and serves at the will and pleasure of the University and may be removed at any time, with or without cause.

6. After Plaintiff's hiring, Dr. White left and a new Provost, Dr. Donzell Lee, and a new President, Dr. Earnest Rankin, were hired.

7. On December 16, 2014, Dr. Lee notified Plaintiff that she would not be reappointed Dean once her Employment Contract ended on June 30, 2015.

8. On May 11, 2015, Plaintiff filed a Charge of Discrimination with EEOC.

9. On July 1, 2015, Plaintiff was no longer Dean but she continues to be employed by Defendant as a tenured Professor in the School of Nursing.

This the 16th day of August, 2016.

Respectfully submitted,

**ALCORN STATE UNIVERSITY**

/s/ Robert L. Gibbs  
Robert L. Gibbs

OF COUNSEL:

Robert L. Gibbs, MSB No. 4816  
Gibbs Travis PLLC  
1400 Meadowbrook Road, Suite 100  
Jackson, Mississippi 39211  
Telephone: 601-487-2631  
Facsimile: 601-366-4295  
Email: [rgibbs@gibbstravis.com](mailto:rgibbs@gibbstravis.com)

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true copy of the foregoing was duly served upon all known counsel of record, this the 16th day of August, 2016, and upon all parties registered with the Court's electronic filing system by operation of the Court's ECF system.

/s/ Robert L. Gibbs  
ROBERT L. GIBBS